

ITW



Docket No.: C15043/174944

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Harold M. Bates

Serial No.: 10/777,543

Filed: February 12, 2004

For: DETECTION OF ASYMPTOMATIC
CORONARY ARTERY DISEASE
USING ATHEROGENIC PROTEINS
AND ACUTE PHASE REACTANTS

Examiner: C. Foster

Art Unit: 1641

New York, NY
April 20, 2010

FIFTEENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant wishes to bring to the Examiner's attention the following documents:

FOREIGN PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
EP 1070962	01/24/2001	Europe
JP 2001-91517	04/06/2001	Japan
JP 2001-66307	03/16/2001	Japan
JP 2001-324506	11/22/2001	Japan

FOREIGN DOCUMENT

English language translation of the Notice of Reason for Refusal issued by the Japanese Patent Office on March 2, 2010.

An English language translation is hereby submitted of the Notice of Reason for Refusal issued by the Japanese Patent Office on March 2, 2010 ("Japanese Notice") in the corresponding Japanese Application No. 2006-553139. The Japanese Notice and English language report letter of the Japanese agent thereof were submitted in the Fourteenth Supplemental Information Disclosure Statement dated March 25, 2010. It was there indicated that the translation would be forthcoming.

The four Japanese publications hereby submitted were listed in the Japanese Notice under the heading, "Report of Results of Search for Prior-Art Documents." (See the English translation at page 3.) They were not, however, cited by the Japanese Examiner as a basis for rejection.

JP 2001-91517 has an English language equivalent, EP 1070962, which is also submitted here. (Note also that U.S. Publication No. 2003/0077668 which was submitted with the Twelfth Supplemental Information Disclosure Statement dated July 22, 2009 is a Continuation-in-Part application ("CIP") which claims priority to the same Japanese applications as does JP 2001-91517 and EP 1070962.)

EP 1070962 to Uchida et al., published January 24, 2001 ("Uchida EP"), entitled Method for Detecting Low Density Lipoprotein (LDL) or Denatured Low Density Lipoprotein in Blood" concerns "[a] novel method for detecting LDL and denatured LDL (particularly, oxidized LDL) having a significant concerning with [sic] the onset and

progress of arteriosclerosis and Alzheimer's disease is provided, wherein a complex of denatured low density lipoprotein (particularly, oxidized LDL) with an acute phase reactant, blood coagulation-fibrinolytic [sic] related protein or disinfectant substance produced by macrophage is used as a measuring subject.” (Abstract.) “[I]t has been found that any of these complexes has a strong relationship to the onset and progress of arteriosclerosis, leading to the completion of the present invention.” (Page 4, lines 34-35.) Figure 6 shows the “distribution of concentrations of ... CRP/OxLDL complexes [as well as other complexes] in the serums of a group of healthy persons ... and a group of coronary artery disease patients....” (Page 5, lines 8-11; Fig. 6).

English language Abstracts of the remaining three Japanese documents listed above are included.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material or constitute “prior art.” If the Examiner applies the documents as references against any claim in the application and applicant determines that any of the cited documents do not constitute “prior art” under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

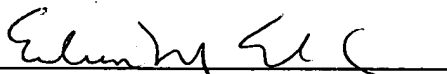
With regard to the Japanese Notice and the documents submitted herewith, each item was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this or the prior information disclosure statement (which cited the Japanese Notice).

The fee was paid with the prior Information Disclosure Statement in which the Japanese Notice was submitted. It is believed that no fees are due. If it is deemed

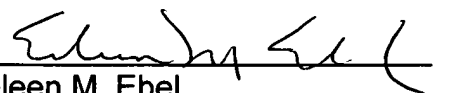
that a fee is owing, however, please charge our Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions about the present paper, the Examiner is welcome to contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2010.


Eileen M. Ebel, Reg. No. 37,316

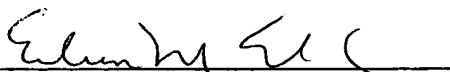
Respectfully submitted,

By: 
Eileen M. Ebel
Registration No 37,316
BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104-3300
Phone: (212) 541-2000
Fax: (212) 541-4630

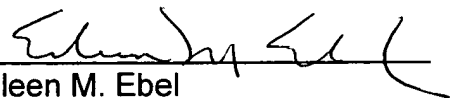
that a fee is owing, however, please charge our Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions about the present paper, the Examiner is welcome to contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2010.


Eileen M. Ebel, Reg. No. 37,316

Respectfully submitted,

By: 
Eileen M. Ebel
Registration No 37,316
BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104-3300
Phone: (212) 541-2000
Fax: (212) 541-4630